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THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : Crl.Rev.P./389/2026

SRI TARA NATH PEGU
S/O LATE PADMESWAR PEGU, R/O KARICHUK,WARD NO. 6, DHEMAJI P.S. DHEMAJI, DISTRICT DHEMAJI, ASSAM CONTACT NO. 9864030035

VERSUS

STATE OF ASSAM AND ANR
REPRESENTED BY THE PUBLIC PROSECUTOR, ASSAM

2:SRI JOGENDRA NARAYAN SONOWAL
S/O LATE DURGA DHAR SONOWAL
R/O DHEMAJI CHARIALI
WARD NO. 4
DHEMAJI P.S. DHEMAJI
DISTRICT DHEMAJI
ASSA

Advocate for the Petitioner : MR. B BARMAN,

Advocate for the Respondent : PP, ASSAM,

Linked Case : I.A.(Crl.)/770/2026

SRI TARA NATH PEGU
S/O LATE PADMESWAR PEGU
R/O KARICHUK
WARD NO. 6
DHEMAJI P.S. DHEMAJI
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DISTRICT DHEMAJI
ASSAM

Advocate for : MR. B BARMAN
Advocate for : PP

BEFORE
HONOURABLE MR. JUSTICE ROBIN PHUKAN

ORDER

12.08.2026

Heard Mr. B. Barman, learned counsel for the petitioner and Mr. P. Barthakur, learned Additional Public Prosecutor for the State respondent No. 1.

In this petition, under Sections 438/442/528 of the BNSS, 2023, the petitioner has challenged the Judgment and Order, dated 25.06.2026, passed by the learned Sessions Judge, Dhemaji (hereinafter, 'Appellate Court'), in Criminal Appeal No. 14/2024, whereby, the learned Appellate Court has affirmed the judgment and order dated 31.05.2024, passed by the learned Additional Chief Judicial Magistrate, Dhemaji (hereinafter, 'Trial Court'), in N.I. Case No. 06/2020, convicting the petitioner under Section 138 of the NI Act, and sentenced him to suffer simple imprisonment for 4 (four) months and also to pay a fine of Rs. 16,00,000/-, with default stipulation.

Perused the petition and the documents placed on record and also perused the impugned Judgment and Order, dated 25.06.2026, passed by the learned Appellate Court, in Criminal Appeal No. 14/2024, and the judgment and order dated 31.05.2024, passed by the learned Trial Court, in N.I. Case No. 06/2020.

Issue notice to the respondents, returnable after 4 (four) weeks.

However, no formal notice is required to be issued to the respondent No. 1, since Mr. Barthakur has entered appearance and accepted notice on behalf of the respondent No. 1. But, extra requisite copies of the petition be furnished to him during the course of the day.

Steps upon respondent No. 2 be taken by speed post and also by usual process, within a week from today.

Registry shall call for the scanned copy of the records from the learned Courts below.

List this matter after **4 (four) weeks**.

And considering the submission of the learned counsel for the petitioner and also considering the facts and circumstances on record, the sentence, so handed down upon the petitioner herein, stands suspended, till disposal of this revision petition.

In terms of the order passed in this revision petition, the interlocutory application filed by the petitioner for staying the operation of the impugned Judgment and Order, dated 25.06.2026, stands disposed of.

List accordingly.

JUDGE

Comparing Assistant